

April 7, 2005

Letter of Appeal
FCC, Office of the Secretary
445 12th Street SW
Washington, DC 20554

Re: Form 471 Application # 429890, FRN# 1193914
Funding Year 07/01/2004 – 06/30/2005
Billed Entity # 144385 Merced City School District
Applicant Form Identifier #471-1
CC Docket No. 02-6

TO WHOM IT MAY CONCERN:

Please find the following REQUEST FOR REVIEW on the aforementioned E-Rate application, which was denied by the SLD dated February 14, 2005.

SLD Decision Explanation: On appeal, you are seeking reversal of the SLD decision to deny this request for Telecommunications Service from a provider that does not provide telecommunications services on a common carrier basis. In support of your appeal, you state that you used an incorrect SPIN for the application. The correct SPIN is 143002665 for SBC Telecommunications Services.

Based on the information submitted in support of this request as Item 21 documentation, your requested tariffed POTS, toll charges, T-1 service, DS3, ISDN and long distance from SBC. You listed SPIN 143004812 on both the Form 471 and the Item 21 support documentation. On appeal, you state that an error was made and the correct SPIN is 143002665. This information submitted on appeal is inconsistent with that provided during the initial review period of the Form 471. According to the appeals guidelines listed on the SLD website, SLD will not accept new information on appeal that is inconsistent with information already on file. It is the applicant's responsibility to ensure their application is in compliance with the FCC rules.

We are again requesting review of this appeal based upon the fact that we realize that the information submitted was inconsistent and that we used the "incorrect" SPIN # for this application. The correct SPIN # for this application is SPIN # 143002665 for SBC Telecommunications Services.

Please find in favor of this appeal and let me know if we have to revise the Form 471 application with the correct SPIN #143002665 or this letter of appeal will serve as that purpose.

If you have any questions regarding this letter of appeal, please contact the following person: Julie Tello, 444 W. 23rd Street, Merced CA 95340, (209) 385-6316, fax: (209) 385-6790, jtello@mcsd.k12.ca.us.

Sincerely,

Steven Shields
Assistant Superintendent, Admin. Services